

Message Text

LIMITED OFFICIAL USE

PAGE 01 TUNIS 05170 201337Z
ACTION NEA-10

INFO OCT-01 EUR-12 ISO-00 CIAE-00 COME-00 EB-08 INR-10
LAB-04 NSAE-00 SIL-01 DODE-00 PA-01 ICA-11 SP-02
HA-05 /065 W
-----116033 210616Z /11
R 201312Z JUL 78
FM AMEMBASSY TUNIS
TO SECSTATE WASHDC 1894
INFO AMEMBASSY PARIS

LIMITED OFFICIAL USE TUNIS 5170

PARIS FOR LABATT

E.O. 11652: N/A
TAGS: ELAB, PGOV, TS
SUBJ: GOT EXPELS FRENCH ATTORNEYS - OBSERVERS OF
IMMINENT UGTT TRIALS

1. SUMMARY. FRANCOIS SARDA, EMINENT DEFENSE ATTORNEY
RETAINED BY ICFTU AND METAL WORKERS FEDERATION, WAS EXPELLED
FROM COUNTRY AT TUNIS AIRPORT, SUNDAY, JULY 16.FOLLOWING
DAY THREE ADDITIONAL ATTORNEY-OBSERVERS REPRESENTING
LABOR AND JURIDICAL GROUPS LIKEWISE WERE NOT PERMITTED
ENTRY. BOTH SARDA AND GOT ISSUED COMMUNIQUEs STATING
THEIR RESPECTIVE CASES. ICFTU DELIVERED A STRONG ATTACK
AGAINST THE GOVERNMENT'S ACTION AND CALLED FOR AFFILIATE
MEMBERS TO EXERT PRESSURE ON GOT THROUGH ITS EMBASSIES
TO ASSURE DEFENDANTS' FAIR TRIAL. END SUMMARFU

2.TWO ACQUAINTANCES OF EMBOFFS WERE AT TUNIS AIRPORT
TO WELCOME SARDA ARRIVING FROM PARIS. THEY SAID SARDA
WAS HUSTLED TO IMMIGRATION AND PUT ABOARD RETURN FLIGHT
TO PARIS APPROXIMATELY TWO HOURS LATER WITH ONLY A FEW
WORDS PASSING BETWEEN THEM. UPON HIS ARRIVAL IN PARIS,
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 TUNIS 05170 201337Z

SARDA REITERATED THAT HE WAS REFUSED PERMISSION TO
TELEPHONE THE BAR ASSOCIATION, THE MINISTER OF JUSTICE,
AND THE FRENCH AMBASSADOR. HE SAID THAT HE HAD COME
ON A FACT-FINDING MISSION, IN ADVANCE OF THE TRIALS,
SIMILAR TO HIS PREVIOUS TWO VISITS. HE SAID HE WAS
OPERATING STRICTLY WITHIN THE AUTHORITY GRANTED HIM BY
ICFTU AND THE METAL WORKERS FEDERATION AND UNDER THE

PERMISSION PREVIOUSLY GRANTED BY THE GOVERNMENT. FOR ITS PART, THE GOVERNMENT ALLEGED THAT SARDA HAD ARRIVED WITH NO DOCUMENTATION ACCREDITING HIM TO ICFTU AND THAT HIS PERMISSION WAS LIMITED TO "OBSERVING THE TRIALS": TRIALS WHICH HAVE NOT YET BEGUN. THE ICFTU ISSUED A BITTER COMMUNIQUE CHARGING THE GOVERNMENT WITH RENEGING ON ITS EARLIER AGREEMENT, "REVEALING ITS TRUE ATTITUDE TOWARDS HUMAN RIGHTS" AND CALLING UPON ITS AFFILIATES TO EXERT PRESSURE ON TUNISIA TO GUARANTEE AN IMPARTIAL AND PUBLIC TRIAL.

3. THE FOLLOWING DAY (JULY 17) THREE ATTORNEYS REPRESENTING THE FRENCH CTG AND CFDT LABOR CENTERS AND ONE REPRESENTING THE LAWYERS ORGANIZATION WERE DEPORTED UNDER CONDITIONS SIMILAR TO THOSE OF SARDA. THE GOVERNMENT EXPLAINED IN THE PRESS ACCOUNTS OF JULY 20 THAT THESE THREE HAD BEEN EXPELLED BECAUSE OF EARLIER STATEMENTS AND ACTIONS THEY HAD MADE HOSTILE TO THE TUNISIAN GOVERNMENT. THE GOVERNMENT POINTED OUT THAT NEITHER THE TUNISIAN LEGISLATION NOR THE FRENCH-TUNISIAN CONVENTION OF 1972 PERMITTED A FOREIGN ATTORNEY TO PARTICIPATE IN THE DEFENSE OF A TUNISIAN DEFENDANT. THE OFFICIAL COMMUNIQUE COMMENTED FURTHER THAT "THESE ORGANIZATIONS SEEM TO FORGET THAT THE REGIME OF THE FRENCH PROTECTORATE IS DEFINITELY AND IRRREMEDIABLY ABOLISHED...."

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 TUNIS 05170 201337Z

4. COMMENT. WHILE THE DATE OF THE TUNIS UGTT TRIAL AS OF NOW IS UNKNOWN, TWO OTHER MAJOR UGTT TRIALS ARE SCHEDULED TO BEGIN JULY 24 (SEPTTEL). THESE EXPULSIONS OF FOREIGN OBSERVERS COMING ON THE EVE OF THE TRIALS INEVITABLY RAISE QUESTIONS AS TO THE GOVERNMENT'S DEPTH OF COMMITMENT TO OPEN AN IMPARTIAL PROCEEDINGS. WHILE IT MAY HAVE BEEN A STRATEGIC ERROR IN THE PERIOD IMMEDIATELY FOLLOWING JANUARY 26 RIOTS TO ASSURE WESTERN EARS THAT DUE PROCESS WOULD BE FOLLOWED WITH FOREIGN OBSERVERS WELCOME, IT WOULD SEEM THAT NOW TO CONDITION AND QUALIFY THAT EARLIER COMMITMENT WOULD BE AN EVEN GREATER ERROR IN TERMS OF TUNISIA'S PRESTIGE AND RESPECT.
MULCAHY

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXPULSION, TRIALS, LABOR STRIKES, ATTORNEYS
Control Number: n/a
Copy: SINGLE
Draft Date: 20 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978TUNIS05170
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780299-0844
Format: TEL
From: TUNIS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780736/aaaabeej.tel
Line Count: 108
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: a14ba66f-c288-dd11-92da-001cc4696bcc
Office: ACTION NEA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1933535
Secure: OPEN
Status: NATIVE
Subject: GOT EXPELS FRENCH ATTORNEYS - OBSERVERS OF IMMINENT UGTT TRIALS
TAGS: ELAB, PGOV, TS, (SARDA, FRANCOIS)
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/a14ba66f-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014